



U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

**SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT**

Docket Number:  
**11411/115**

Application Number  
**09/482,688**

Filing Date  
**January 13, 2000**

Examiner  
**Frank I. Choi**

Art Unit  
**1616**

Invention Title  
**FOOD SUPPLEMENT FOR INCREASING LEAN  
MASS AND STRENGTH**

Inventor(s)  
**Paul T. Gardiner et al.**

Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on

Date: January 23, 2004

Signature: John F. Resek (Reg. No. 52,162)

Sir:

1. In accordance with the duty of disclosure under 37 C.F.R. § 1.56 and in conformance with the procedures of 37 C.F.R. §§ 1.97 and 1.98 and M.P.E.P. § 609, attorneys for Applicants hereby bring the attached references to the attention of the Examiner. These references are listed on the attached modified PTO Form No. 1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.
2. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b).
3. A copy of each reference cited is enclosed.

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Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450  
on

Date: January 23, 2004

Signature: Chandra Sarana

01/29/2004 WBDLFI 00000107 110600 09482688

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4. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. §1.17(p) (submission of an information disclosure statement under §1.97(c)) fee of **\$180.00** and any additional fees that may be required to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.

Dated: 1/22/04

By: 

John F. Resek (Reg. No. 52,162)

**KENYON & KENYON**

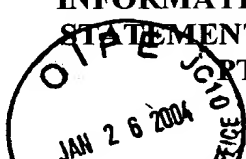
One Broadway

New York, N.Y. 10004

(212) 425-7200 (telephone)

(212) 425-5288 (facsimile)

**CUSTOMER NO. 26646**

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> PTO-1449 	DOCKET NO. <b>11411/115</b>	SERIAL NO. <b>09/482,688</b>
	APPLICANT <b>Paul T. Gardiner et al.</b>	
	FILING DATE <b>January 13, 2000</b>	GROUP <b>1616</b>

## U. S. PATENT DOCUMENTS

EXAMINER INITIAL	PATENT NUMBER	PATENT DATE	NAME	CLASS	SUBCLASS	FILING DATE

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

## OTHER DOCUMENTS

EXAMINER INITIAL	AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.
	Burke, D.G., et al. The effect of whey protein supplementation and resistance training on body composition and strength. Med Sci Sports Exer. 32 (5): s330, May 2000.
	Kalman, D.S. et al. A clinical evaluation of the safety of high protein intake over 28 days in healthy resistance trained men. ACSM, 2001.
	Swain, M. et al. Effects if whey protein concentrate/isolate supplementation versus whey protein concentrate in weight-trained athletes: A double blind trial. American College of Nutrition conference, October 12-15, October 2000.

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	